

## Article - Education

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§15–128.

(a) Subject to subsection (d) of this section, for fiscal year 2023, the Governor shall include in the annual budget bill a general fund appropriation of at least:

- (1) \$16,790,700 for Bowie State University;
- (2) \$9,000,000 for Coppin State University;
- (3) \$24,003,200 for Morgan State University; and
- (4) \$9,693,600 for University of Maryland Eastern Shore.

(b) (1) Subject to subsection (d) of this section, for each of fiscal years 2024 through 2031, the Governor shall include in the annual budget bill a general fund appropriation to the historically black colleges and universities as calculated under paragraph (2) of this subsection.

(2) The funds provided under paragraph (1) of this subsection shall be allocated to each institution in an amount that is the greater of:

- (i) \$9,000,000; or
- (ii) The product of:

1. The percentage share of students enrolled during the immediately preceding academic year at each institution compared to the total number of students enrolled at all of the historically black colleges and universities; and

2. \$57,700,000.

(3) (i) Subject to subsection (d) of this section, for fiscal year 2032, the Governor shall include in the annual budget bill a general fund appropriation equal to the difference of:

1. \$577,000,000; minus

2. The sum of the total funds allocated for each of fiscal years 2023 through 2031 under this section.

(ii) The funds provided under subparagraph (i) of this paragraph shall be allocated to each historically black college and university in an amount that is equal to the product of:

1. The percentage share of students enrolled during the immediately preceding academic year at each institution compared to the total number of students enrolled at all of the historically black colleges and universities; and

2. The amount of general funds determined for fiscal year 2032 under subparagraph (i) of this paragraph.

(4) At the end of each fiscal year, any unused funds provided under this section shall be distributed to the Historically Black Colleges and Universities Reserve Fund established under § 15–127 of this subtitle.

(c) Funds provided under this section:

(1) Shall be supplemental to, and may not supplant, funds appropriated to public institutions of higher education in the State budget;

(2) May be used for the following purposes, as determined by the university receiving the funds:

(i) Scholarships and financial aid support services;

(ii) Faculty recruitment and development;

(iii) Expanding and improving existing academic programs, including online programs;

(iv) Development and implementation of new academic programs, including online programs;

(v) Academic support; and

(vi) Marketing; and

(3) May not be included in the calculations of State funding under §§ 16–305, 16–512, and 17–104 of this article.

(d) If the special account in the Cigarette Restitution Fund established under § 7–317 of the State Finance and Procurement Article has a balance, the Governor shall use the balance to supplant the General Fund appropriation to the historically black colleges and universities required under this section.

(e) On or before December 1 each year, beginning in 2023 and going through 2033, each historically black college or university shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the President of the Senate, the Speaker of the House, the House Appropriations Committee, and the Senate Budget and Taxation Committee on:

(1) The uses of the funds in accordance with subsection (c)(2) of this section; and

(2) Any new academic program developed with respect to:

(i) Development costs;

(ii) Startup costs; and

(iii) Ongoing costs to maintain the program.

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